

From: doyle@wrq.com@inetgw
To: Microsoft ATR
Date: 11/16/01 9:09pm
Subject: Problems with November 2 agreement

Dear sirs,

I am writing today because I am deeply troubled by several aspects of the November 2, 2001 Microsoft anti-trust settlement. I am a professional computer programmer, and have been directly harmed numerous times by Microsoft's practices.

First, the text in the "definitions" near the end of the agreement says, "The software code that comprises a Windows Operating System Product shall be determined by Microsoft in its sole discretion." Microsoft has demonstrated repeatedly that they are willing to exploit this kind of loophole, and I am counting on them to determine that pretty much anything they want is part of the Operating System -- this clause gives them that right. This alone seems to render the agreement nearly useless against future infractions.

Second, their anti-competitive behavior is continuing unabated with respect to Java. They have a competing technology (which I'm certain will be defined into the OS, see above) called .NET, and have dropped all support for Java from Internet Explorer, making it much more difficult to install Java as an optional after-market piece. This is a clear example of abuse of monopoly control over the browser and the platform.

Third, there is absolutely no punishment for past crimes. They got away with it, and received only the lightest possible slap on the wrist. Given their past behavior, I am afraid this will simply magnify their hubris, and instead of nearly fatally wounding the industry that pays my salary and was responsible for the largest peace-time economic expansion this country has ever seen, they will do the job right this time, and we'll end up with no Internet, no innovation, and a monopolist in charge of an enormous range of strategically critical technologies.

I would instead like to see the following remedies:

1. Split the company, not in to two but three pieces: Operating Systems, Internet, and Applications.
2. Appoint an existing technology standards body such as the IETF to determine what is in and what is not in each category. Microsoft should have only a small minority voice in the process, if any.
3. Fine them three years profits.

4. Require them to publish all existing file formats (Word, Excel, etc.), and require changes to those formats to be published and peer-reviewed six months before any Microsoft product is allowed to read or write them.

Failure to seriously address these issues will lead to a dramatic decline in innovation and the markets that it spurs. A large segment of the economy now operates on Internet Time -- I think you will be amazed at how quickly things will go south if a remorseless monopoly is allowed to continue destroying others' ability to innovate.

Sincerely,
Doyle Myers
Seattle, WA